

REMARKS

Applicants request reconsideration of the application in view of this Amendment.

Claims 6 and 8-10, 24, 25, 28 and 31 are amended. Of these, claims 6, 24 and 28 are amended to overcome the prior art. Claim 8 and 10 are amended to clarify the term "transversely". Claim 9 is amended to replace the term "longitudinally" with more definite phraseology. Claim 25 is amended by changing "spacer" to "spacing element" to correct for antecedent basis. Claim 31 is amended, by changing its dependency, to correct for a lack of antecedent basis noted by the Examiner. The amendments made to claims 8-10, 25 and 31 are solely to clarify terms or correct for antecedent basis and are not made in order to overcome prior art.

Claims 34-44 are added.

The antecedent basis for "said distance" in claim 30, noted by the Examiner, is provided in line 8 of base claim 28.

Claim 6

Claim 6 recites a spacer configured to abut the side surface of the stud. Claim 6 is amended to specify that the spacer spaces the entire first end wall from the stud.

This is not disclosed or suggested by the cited reference, US Patent No. 3,863,037 to Schindler et al. Schindler's ribs 37, noted by the Examiner, do not space the entire wall 15 from the stud as claimed, but only a portion of the wall 15 from the stud. Schindler's wall, adjacent the ears 31, still contacts the stud. Therefore, claim 6 is patentable over the cited prior art.

Claims 8-10 and 20-23

Claims 8-10 and 20-23 all depend from claim 6. The limitations that they add to claim 6 distinguish them further from the prior art. Therefore, claims 8-10 and 20-23 are also patentable over the prior art.

For example, claim 8 depends from claim 6. It thus includes all of the limitations of claim 6, which is patentable over the cited prior art as explained above. For that reason alone, claim 8 is also patentable. However, claim 8 recites the additional limitation that the spacer abuts the stud along a transversely extending line of abutment, with the term "transversely" being defined by the side walls being "transversely" spaced apart. This is not disclosed by the cited reference to Schindler. The line of abutment of Schindler's ribs 37 does not extend transversely as claimed, but rather perpendicular to the transverse direction. The limitation that claim 8 adds to claim 6 thus distinguishes it further from the prior art.

Similarly, claim 9 includes all of the limitations of claim 6, which is patentable over the prior art as explained above. For that reason alone, claim 9 is also patentable. However, claim 9 recites the additional limitation that a second spacer is rearwardly farther from the front opening than is the first spacer. This is not disclosed or suggested by Schindler. Schindler's ribs 37 are equidistant from the front opening. The limitation that claim 9 adds to claim 6 thus distinguishes it further from the prior art.

Claims 24-27

Similar to claim 6, independent claim 24 is amended to specify that the spacing element is configured to space the entire end wall from the stud.

This is not disclosed or suggested by the cited reference to Schindler for the reason explained above for claim 6. Therefore, claim 24 is patentable over the cited prior art.

Claims 25-27 depend from claim 24. The limitations that they add to claim 24 distinguish them further from the prior art. Claims 25-27 are thus also patentable.

Claims 28-34

Similar to claim 24, independent claim 28 is amended to recite a means for spacing the entire wall structure from the stud.

This is not disclosed or suggested by the cited reference to Schindler for the reason explained above for claim 6. Therefore, claim 28 is patentable over the cited prior art.

Claims 29-34 depend from claim 28. The limitations that they add to claim 28 distinguish them further from the prior art. Claims 29-34 are thus also patentable.

Claims 35-44

The Examiner stated that claims 20-22, 25, 27 and 30-34 would be allowable if rewritten in independent form. Claims 20-22, 25, 27 and 30-34 are accordingly rewritten as new claims 35-44, respectively. Claims 35-44 should therefore be allowable.

Applicants respectfully submit that the application is now be in condition for allowance, and allowance is requested.

Respectfully submitted,

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